

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Martin R. Barash, Presiding
Courtroom 303 Calendar**

Friday, May 28, 2021

Hearing Room 303

9:00 AM

1:00-00000

Chapter

#0.00 All hearings on this calendar will be conducted remotely, using ZoomGov video and audio.

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CONT...

Chapter

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Martin R. Barash, Presiding
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Friday, May 28, 2021

Hearing Room 303

10:00 AM

1:20-11784 Valley Enterprises T.S. Inc

Chapter 7

#0.00 HearingRE: [96] Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2020 Land Rover Range Rover Evoque VIN No.SALZJ2FX5LH026869 . (Delmotte, Joseph)

Docket 96

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Valley Enterprises T.S. Inc

Represented By
Thomas B Ure
Anthony N Ranieri

Trustee(s):

Diane C Weil (TR)

Represented By
David Seror
Tamar Terzian

**United States Bankruptcy Court
Central District of California
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Friday, May 28, 2021

Hearing Room 303

10:00 AM

1:20-11784 Valley Enterprises T.S. Inc

Chapter 7

#0.00 HearingRE: [93] Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: 13726 Saticoy St. Panorama City, CA 91402 . (Nussbaum, Lane)

Docket 93

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Valley Enterprises T.S. Inc

Represented By
Thomas B Ure
Anthony N Ranieri

Trustee(s):

Diane C Weil (TR)

Represented By
David Seror
Tamar Terzian

**United States Bankruptcy Court
Central District of California
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Friday, May 28, 2021

Hearing Room 303

10:00 AM

1:20-12110 Queen City Rehabs and Renovations LLC

Chapter 11

#0.00 Motion for relief from stay [RP]

TRIUMPH CAPITAL PARTNERS, LLC

fr. 3/23/21, 4/27/21; 4/28/21

Docket 50

Tentative Ruling:

Ruling for April 28, 2021

Continued to 5/28/21 @ 10:00 a.m.

The record on the substantive issues is closed. Movant to file a motion under FRCivP 25(c) to substitute HMC Assets LLC for Triumph Capital by 5/14/21

Ruling for March 23, 2021

Continued to 4/27/21 @ 10:00 a.m.

Movant to serve the lienholders with the motion and to serve debtor and debtor's counsel with notice of cont'd hearing and the deadlines below by 4/16/21.

If Movant wants to rely on the BPO attached as exhibit 4 as evidence of value, Movant must file a broker's declaration by 4/16/21. Any supplemental evidence from the Dtr must be filed by 4/16/21.

Movant and the debtor may respond to any supplemental filings by 4/23/21.

Party Information

Debtor(s):

Queen City Rehabs and Renovations

Represented By
Roseann Frazee

**United States Bankruptcy Court
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Friday, May 28, 2021

Hearing Room 303

10:00 AM

1:20-12110 Queen City Rehabs and Renovations LLC

Chapter 11

#0.00 Status conference re chapter 11 voluntary petition non-individual

fr. 2/3/21. 4/13/21; 4/28/21

Docket 1

Tentative Ruling:

Ruling for February 3, 2021:

Bar Date is March 31, 2021. Bar Date Notice to be served by February 17, 2021. The deadline to file a plan and disclosure statement in docket no. 1 is vacated. The new deadline is April 30, 2021. Debtor to lodge a scheduling order. Status conference continued to April 13, 2021 at 1:30 p.m. An updated status report is due by April 6, 2021.

Party Information

Debtor(s):

Queen City Rehabs and Renovations

Represented By
Roseann Frazee

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Central District of California
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Friday, May 28, 2021

Hearing Room 303

11:00 AM

1:18-12433 Airlux Aircraft, Inc.

Chapter 7

#0.00 Confirmation Hearing RE: [270] Notice of Trustee's Final Report and Applications for Compensation (BNC-PDF) 269). (Attachments: # 1 Supplement Zoom Notice)(united states trustee (pg))

Docket 270

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Airlux Aircraft, Inc.

Represented By
Moises S Bardavid

Trustee(s):

Elissa Miller (TR)

Represented By
Steven Werth

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Friday, May 28, 2021

Hearing Room 303

1:30 PM

1:21-10002 Parmelee Investments LLC

Chapter 11

#0.00 Status conference re chapter 11 case

fr. 2/16/21

Docket 1

Tentative Ruling:

Ruling for February 16, 2021: Continued to 5/28/21 at 1:30 p.m. The bar date is set for 4/16/21. Debtor must file and serve a bar date notice no later than 2/23/21. The deadline to file a plan and disclosure statement is 5/4/21. If this deadline is met, then no new status report is required. If Debtor is unable to file a timely plan and disclosure statement, then Debtor must file a status report and a motion to continue the plan and disclosure statement deadline. Debtor must lodge a scheduling order.

Party Information

Debtor(s):

Parmelee Investments LLC

Represented By
Matthew Abbasi

**United States Bankruptcy Court
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Friday, May 28, 2021

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1:30 PM

1:19-11657 Pierrick Brillouet and Yong Chu Kim-Brillouet

Chapter 11

**#0.00 Creditors' motion to dismiss or convert bankruptcy case
under 11 U.S.C. section 1112(b)**

fr. 12/11/19; 1/22/20 (stip), 2/19/20; 5/13/20 (stip)
advanced fr. 6/10/20, 6/8/20, 9/2/20; 9/14/20(stip),
10/1/20; 11/6/20; 11/9/20. 12/8/20, 2/16/21, 2/17/21; 3/26/21

Docket 59

Tentative Ruling:

Ruling for March 26, 2021:

Continued to May 28, 2021 at 1:30 p.m.

Ruling for February 17, 2021

Continued to March 26, 2021 @ 10:00 a.m.

Ruling for December 8, 2020

Continued to February 16, 2021 @ 1:30 p.m. If Movants choose to withdraw this Motion and file a new Motion with new grounds for relief, those papers must be filed by January 26, 2021. Debtors' response will be due February 2, 2021 and any supplemental reply will be due February 9, 2021.

Ruling for November 9, 2020

Continued to December 8, 2020 @ 1:30 p.m.

Ruling for October 1, 2020:

Continued to November 6, 2020 at 10:00 a.m.

Ruling for June 8, 2020:

Continued to 9/2/20 at 1:30 p.m. 8/19/20 is deadline for Movant to file supplement. 8/26/20 is the deadline for the Debtor to respond. The

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CONT... Pierrick Brillouet and Yong Chu Kim-Brillouet Chapter 11

parties are ordered to meet and confer on a discovery schedule within the next 10 days.

Ruling for 2/19/20:

Continued to May 13, 2020 at 1:30 p.m.

Ruling for December 11, 2019

Continued to 1/22/20 at 1:30 p.m.

Party Information

Debtor(s):

Pierrick Brillouet

Represented By
Giovanni Orantes
Luis A Solorzano

Joint Debtor(s):

Yong Chu Kim-Brillouet

Represented By
Giovanni Orantes
Luis A Solorzano

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1:19-11657 Pierrick Brillouet and Yong Chu Kim-Brillouet

Chapter 11

**#0.00 Creditor's motion to disallow debtors'
 claimed homestead exemption**

fr. 11/13/19 (stip) ; 12/11/19 (**stip**); 1/22/20 (stip);
4/1/20(stip); 5/13/20 (stip)
advanced fr. 6/10/20, 6/8/20, 9/2/20; 9/14/20(stip), 10/1/20; 11/6/20;
11/9/20, 12/8/20, 2/16/21, 2/17/21; 3/26/21

Docket 41

Tentative Ruling:

Ruling for March 26, 2021:

Continued to May 28, 2021 at 1:30 p.m.

Ruling for February 17, 2021

Continued to March 26, 2021 @ 10:00 a.m.

Ruling for December 8, 2020

Continued to February 16, 2021 @ 1:30 p.m. to trail the amended disclosure statement.

Ruling for November 9, 2020

Continued to December 8, 2020 @ 1:30 p.m.

Ruling for October 1, 2020:

Continued to November 6, 2020 at 10:00 a.m.

Ruling for June 8, 2020: Continued to 9/2/20 at 1:30 p.m. However, no new

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CONT... **Pierrick Brillouet and Yong Chu Kim-Brillouet**
briefing is ordered. This will be a status conference on the motion.

Chapter 11

Party Information

Debtor(s):

Pierrick Brillouet

Represented By
Giovanni Orantes
Luis A Solorzano

Joint Debtor(s):

Yong Chu Kim-Brillouet

Represented By
Giovanni Orantes
Luis A Solorzano

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1:19-11657 Pierrick Brillouet and Yong Chu Kim-Brillouet

Chapter 11

#0.00 Pretrial Conference Re: Confirmation

fr. 2/16/21, 2/17/21; 3/26/21

Docket 328

Tentative Ruling:

Ruling for March 26, 2021:

The Court conditionally approves the disclosure statement subject to the following: Debtors to correct the errors noted by the Court, update the administrative priority claims, the current amount of the Judgment Creditors' claims (the Judgment Creditors are required to send counsel for the Debtors updated calculations within seven days), the reference to the Judgment Creditors' remedies on default should clarify that notices required under state law are "if any," and the amount of the new value contribution (including redlines) by April 16, 2021. The Debtors' lodged disclosure statement should allow creditors four weeks after solicitation packages are served to submit their ballots. Deadlines for objections and confirmation briefs will be set at the

Confirmation is deemed to be a contested matter under FRBP 9014. Counsel to confer on a discovery plan in the next seven days. Discovery to be completed by May 28, 2021. Continued to May 28, 2021 at 1:30 p.m. as a pre-trial conference re: confirmation. The Court will issue an order re: what the parties are required to file as a joint pre-trial stipulation.

Ruling for February 17, 2021

Continued to March 26, 2021 @ 10:00 a.m. Debtors to file their amended disclosure statement and plan by March 19, 2021. Objections may be presented orally at the hearing.

Party Information

Debtor(s):

Pierrick Brillouet

Represented By
Giovanni Orantes
Luis A Solorzano

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CONT... Pierrick Brillouet and Yong Chu Kim-Brillouet

Chapter 11

Joint Debtor(s):

Yong Chu Kim-Brillouet

Represented By
Giovanni Orantes
Luis A Solorzano

Trustee(s):

Gregory Kent Jones (TR)

Pro Se

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1:19-11657 Pierrick Brillouet and Yong Chu Kim-Brillouet

Chapter 11

#0.00 Status conference re: chapter 11 case

fr. 9/10/19, 12/11/19, 1/22/20, 3/19/20, 5/13/20, 6/8/20,
9/2/20; 9/14/20(stip), 10/1/20; 11/6/20; 11/9/20. 12/8/20,
2/16/21, 2/17/21; 3/26/21

Docket 1

Tentative Ruling:

Ruling for March 26, 2021:

Continued to May 28, 2021 at 1:30 p.m.

Ruling for February 17, 2021

Continued to March 26, 2021 @ 10:00 a.m.

Ruling for December 8, 2020

The Rule 2015.3 reports which were due in September 2020 must be filed by December 22, 2020.

Debtors amended disclosure statement and amended plan, including redlines, to be filed by January 26, 2021. Objections to the amended disclosure statement to be filed by February 2, 2021. Debtors reply to any such objections to be filed by February 9, 2020. A hearing on the forthcoming amended disclosure statement will be held February 16, 2021 @ 1:30 p.m.

The status conference is continued to February 16, 2021 @ 1:30 p.m.

Ruling for November 9, 2020

Continued to December 8, 2020 @ 1:30 p.m.

Ruling for October 1, 2020:

Continued to November 6, 2020 at 10:00 a.m.

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CONT... Pierrick Brillouet and Yong Chu Kim-Brillouet

Chapter 11

Ruling for June 8, 2020: Plan confirmation hearing set for 9/2/20 at 1:30 p.m.
Deadline for objections to plan confirmation is 8/19/20. Deadline for the Debtor to file a brief in support of confirmation and response to objections is 8/26/20. No new status report needed.

Ruling for May 13, 2020:

Continued to June 8, 2020 at 1:30 p.m. Debtor to file and serve a notice of continuance.

May 13, 2020

Based on United States District Court Chief Judge's Orders No. 20-042 and 20-05 closing all of the courthouses to the public, and United States Bankruptcy Court Second Amended General Order No. 20-02 making telephonic appearances mandatory, this will be a telephonic hearing only. CourtCall, the Court's telephonic provider, has amended pricing for its services and is offering discounted rates to attorneys through June 30, 2020 and FREE access for parties who do not have an attorney (pro se parties). Telephonic appearances may be arranged by contacting CourtCall at (888) 882-6878 or (866) 582-6878. Additional details are available by visiting their website: <https://courtcall.com>.

Ruling for December 11, 2019

Continued to 1/22/20 at 1:30 p.m.

Ruling for September 10, 2019

The application to employ the Orantes Law Firm is set for hearing on October 7, 2019 at 1:30 p.m. The Orantes Law Firm shall file its supplemental brief by September 23, 2019 on the issues identified by the Court during the status conference. Any opposition shall be filed by September 30, 2019.

The bar date is set for November 1, 2019. Notice of the bar date to be filed and served by September 17, 2019.

Continued to December 11, 2019 at 1:30 p.m. Dtr to file and serve a notice of continued status conference. Dtr to file an updated status report by November 27, 2019.

Party Information

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CONT... Pierrick Brillouet and Yong Chu Kim-Brillouet

Chapter 11

Debtor(s):

Pierrick Brillouet

Represented By
Giovanni Orantes

Joint Debtor(s):

Yong Chu Kim-Brillouet

Represented By
Giovanni Orantes

**United States Bankruptcy Court
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Friday, May 28, 2021

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1:19-13015 Oscar R. Ortega

Chapter 11

#0.00 Confirmation Hearing

fr. 1/5/21, 3/23/21, 4/6/21

Docket 61

Tentative Ruling:

Ruling for April 6, 2021:

Debtor to file an amended or corrected plan and disclosure statement correcting the issues addressed by the Court at the hearing. The disclosure statement is approved.

The Court sets the following confirmation schedule:

4/16/21 – Debtor to serve solicitation packages and written notice of confirmation hearing and ballot & objection deadline on all creditors;

5/14/21 @ 5:00 p.m. – deadline for counsel to receive ballots; objection deadline;

5/21/21 – deadline for Debtor to file confirmation brief and all evidence in support of confirmation; and

5/28/21 @ 1:30 p.m. – confirmation hearing

Ruling for January 5, 2021

Continued to March 23, 2021 at 1:30 p.m. Debtor to file an amended disclosure statement and amended plan addressing the issues identified by the Court on the record by February 9, 2021.

Debtor to correct the service defects and serve notice on all creditors by February 9, 2021.

Party Information

Debtor(s):

Oscar R. Ortega

Represented By
Robert M Yaspan

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1:19-13015 Oscar R. Ortega

Chapter 11

#0.00 Scheduling and case management conference

fr. 1/22/20, 5/13/20, 6/8/20, 7/13/20, 11/20/20, 1/5/21,
3/23/21, 4/6/21

Docket 1

Tentative Ruling:

Ruling for April 6, 2021:

Continued to 5/28/21 @ 1:30 p.m

Ruling for January 5, 2021

Continued to March 23, 2021 at 1:30 p.m.

Ruling for July 13, 2020: Continued to 11/20/20 at 1:30 p.m. If Debtor has filed a disclosure statement, then the filing of a status report is waived. If the Debtor does not file a disclosure statement, then the Debtor must file an updated status report.

Ruling for June 8, 2020: Debtor to file a supplemental declaration regarding the budget. Continued to 7/13/20 at 1:30 p.m. New status report is waived for the 7/13/20 hearing.

Ruling for May 13, 2020:

Continued to June 8, 2020 at 1:30 p.m. If the debtor provides evidence of the commercial insurance to the US Trustee, the Court will entertain a brief motion to continue the June status conference to September.

Ruling for January 22, 2020: The Court sets a general claims bar date of 3/31/20. Debtor must serve claims bar date by 1/29/20. No deadline for objections to claims. The deadline to file a plan and disclosure statement is 9/30/20. Status conference is continued to 5/13/20 at 1:30 p.m. Status report update must be filed by 4/29/20.

Party Information

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CONT... Oscar R. Ortega

Chapter 11

Debtor(s):

Oscar R. Ortega

Represented By
Robert M Yaspan

**United States Bankruptcy Court
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Friday, May 28, 2021

Hearing Room 303

1:30 PM

1:20-12146 Brian Anthony Veskosky

Chapter 11

#0.00 Status conference re chapter 11 plan confirmation

fr. 4/2/21; 5/11/21

Docket 49

Tentative Ruling:

Ruling for April 2, 2021:

Tentative adopted. If Debtor needs more time it can file a brief motion to extend the deadlines below.

Tentative Ruling for April 2, 2021: The Court has reviewed the Debtor's subchapter V plan (the "Plan"). The Court notes the following facial infirmities in the Plan which make it inappropriate to permit solicitation and set a confirmation hearing at this time. The Court will permit the Debtor to file an amended plan that addresses these issues no later than April 27, 2021 and continue the plan status conference to **May 11, 2021 at 1:30 p.m.** At the continued status conference, if the Court is persuaded that these issues have been adequately addressed, the Court will set a date for a plan confirmation hearing, as well as solicitation and briefing deadlines.

1. Liquidation Analysis. The liquidation analysis in section I.C is cursory, incomplete and unacceptable. A liquidation analysis needs to account for all of the debtor's property and estimate the amount that would be yielded for each of those assets if liquidated in a hypothetical chapter 7.

The brief discussion here acknowledges that the Debtor has equity interests in various businesses but makes no attempt to value those interests if they were liquidated by a chapter 7 trustee. In a single sentence, this section mentions a property and something about costs of sale, but to someone other than a bankruptcy lawyer this sentence is unintelligible. Further, no other information is given about the Debtor's other tangible and intangible property interests. This is not an adequate liquidation analysis.

The liquidation analysis should illustrate the "waterfall" of distribution in a

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CONT...

Brian Anthony Veskosky

Chapter 11

hypothetical chapter 7 case. This is most effectively done in an exhibit (i.e., a detailed chart), together with detailed explanatory text. No such exhibit was provided, even though it is clearly contemplated by Official Form 425A. Moreover, the text explains very little.

The Debtor must amend the Plan to include a real liquidation analysis. The analysis should, at a minimum, account for all of the Debtor's assets, identify estimated liquidation values and the basis for those values for each asset or category of assets, identify each of the secured creditors and the amounts of their claims, estimate all administrative expenses in a chapter 7 liquidation of the estate, estimate the amount of priority unsecured claims, estimate the amount of unsecured claims, and show the "math."

2. Class 1 Priority Tax Claim: In Article 2, dealing with "Classification of Claims and Interests," the Plan states that Class 1 priority claims will be paid within 24 months of the effective date under the Plan. In Article 3, dealing with "Treatment of Claims and Interests," the Plan states that Class 1 priority claims will be paid in full on the Effective Date. The Debtor must fix this inconsistency. The Court notes that Article 2 should not contain any treatment information in any event, as that section should only address classification.

3. Franchise Tax Board, Proof of Claim #1: The FTB filed a proof of claim on December 11, 2020. The claim is listed as secured in the amount of \$32,407.69. Upon the filing of the claim, it was deemed allowed. 11 U.S.C. § 502(a). The Plan, however, fails to address this claim in any way. Was it simply an oversight? Does the Debtor intend to object to the claim and obtain an adjudication prior to confirmation? If not, how does the plan propose to deal with it? These issues must be clarified.

4. Class 2 Secured Claims. These subsections are ambiguous. Are you purporting to describe the existing terms of these secured claims? Or the modified terms of these claims, following treatment under the plan? This must be clarified.

5. Class 3. The Debtor contends there are just two allowed claims in Class 3. The Plan should specifically identify the holders of these claims by name and the amounts at which those claims are allowed. The Court notes that the Debtor has

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Chapter 11

scheduled a series of disputed claims in very significant amounts. Although claims that are scheduled as disputed in a chapter 11 case are not deemed allowed, see 11 U.S.C. § 1111(a), the Court believes that the additional specificity is warranted—so it is absolutely clear which unsecured creditors the plan is proposing to pay.

6. Class 3 Impairment? The Plan fails to state whether Class 3 is impaired. It appears from the Plan that the class *is* impaired and should be designated accordingly.

7. Voting Classes. Subject to the foregoing, the Plan generally identifies which classes are impaired but fails to identify which classes are entitled to vote.

8. Executory Contract/Unexpired Lease. The Plan asserts that the Debtor has no executory contracts or unexpired leases. The Debtor, however, identifies a vehicle lease in his Schedule G, the Schedule of Executory Contracts and Unexpired Leases. Why the discrepancy? Either the Plan or Schedule G must be amended.

9. Effective Date Funding Requirements. The Plan should—but does not—identify the amount of cash necessary to satisfy all claims that will be due on the occurrence of the effective date of the Plan. The Court believes this is an important element of the Plan. In connection with confirmation, and satisfying his burden with respect to feasibility, the Debtor will have to show that the funds are available to satisfy this amount.

10. Administrative Expense Claims. The text of section 3.01 is nonsensical. It says that there are no unclassified administrative expense claims. In the next section, section 3.02, the Plan states that there *are* unclassified administrative expense claims, i.e., administrative expenses of the Sub V trustee. Why did the Debtor deviate here from the text of Official Form 425A with respect to section 3.01? What was the Debtor trying to achieve? Section 3.01 is inconsistent with section 3.02 (and common sense) and should be corrected.

Further, Section 3.02 is infirm on its face for multiple reasons. First, it provides no *treatment* for any administrative expense claim. Treatment must be specified. Second, it identifies no administrative expense claims other than the Sub V trustee. This is not plausible. What about counsel? Is counsel working for free? What about administrative tax claims and other obligations that arose in the ordinary course of the

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Chapter 11

Debtor's affairs during the case? Third, it is inadequate to say the Sub V fees are not known. The Debtor should endeavor to get an estimate from the Sub V trustee and the Sub V trustee should accommodate such a request.

11. 180 Day Income and Expense Projections. These projections are potentially confusing to creditors because they do not clearly reflect all payments that will be due under the plan and do not clearly show whether the Debtor is able to meet those obligations. There are references to payments on a first, second and third deed of trust. To which classes under the Plan do these payments correspond? Where are the payments on administrative expenses and priority tax claims? Where are the payments to the holders of unsecured claims? Presumably some of these payments will be on the effective date of the plan and some over time—that needs to be shown.

12. Provisions on Default. Article 10 of the Plan states that if the Debtor does not make all required plan payment, the plan's default provisions will control. Those provisions, at least as described in section 10.01, are incomplete. They propose a process for noticing a default but say nothing of the consequences of a failure to cure. What is the point of having default procedures if they don't say what happens?

Party Information

Debtor(s):

Brian Anthony Veskosky

Represented By
Michael R Totaro

Trustee(s):

Susan K Seflin (TR)

Pro Se

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1:20-12146 Brian Anthony Veskosky

Chapter 11

#0.00 Status conference re chapter 11 subchapter V
voluntary petition individual

fr. 1/19/21, 2/3/21, 3/23/21; 4/2/21; 5/11/21

Docket 1

Tentative Ruling:

Ruling for April 2, 2021:

Continued to May 11, 2021 at 1:30 p.m.

Ruling for February 3, 2021:

Debtor to file the projections omitted from the status report by February 5, 2021.

Status conference is continued to March 23, 2021 at 1:30 p.m.

Party Information

Debtor(s):

Brian Anthony Veskosky

Represented By

Michael R Totaro

Trustee(s):

Susan K Seflin (TR)

Pro Se